

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

ALI BAHAR	:	Case No. C-1-01-798
	:	J. Bertelsman
Plaintiff,	:	
	:	
vs.	:	
	:	
CITY OF CINCINNATI	:	<b><u>PLAINTIFF' S WITNESS LIST</u></b>
	:	
Defendant.	:	

In accordance with Federal Rule of Civil Procedure 26 (a)(3) and the Court' s Order dated October 26, 2004, Plaintiff states he intends to call the following witnesses at the trial of this matter:

1.     **Tony Huang.** Mr. Huang will testify to matters testified to during his deposition. Mr. Huang will testify as to Plaintiff's work performance and the policies and procedures of MSD. He will also testify as to the discriminatory practices within the MSD.

2.     **Pat Karney.** Mr. Karney will testify to matters testified to during his deposition. Mr. Karney will testify as to his knowledge of Plaintiff and his employment with the City. Mr. Karney will also testify as to his decision to transfer Plaintiff to Waste Water, the proper procedures for approval of change orders and Plaintiff's promotion to senior engineer.

3.     **Rao Donepudi.** Mr. Donepudi will testify to matters testified to during his deposition. Mr. Donepudi will testify as to Plaintiff's character. He will also testify that Defendant wanted to terminate Plaintiff and the discriminatory practices within the MSD.

4.     **Sam George.** Mr. George will testify to matters testified to during his deposition. Mr. George will also testify as to Plaintiff's work performance and the policies and procedures within the MSD.

5. **Tom Quinn.** Mr. Quinn will testify to matters testified to during his deposition. Mr. Quinn will testify as to Plaintiff's qualifications and work performance, and the policies and procedures within the MSD.

6. **Joe Niehaus.** Mr. Niehaus will testify to matters testified to during his deposition. Mr. Niehaus will testify as to Plaintiff's work performance and character and the proper procedures for requesting and implementing change orders.

7. **Bob Campbell.** Mr. Campbell will testify to matters testified to during his deposition. Mr. Campbell will testify as to Plaintiff's qualifications and work performance, the policies and procedures within the MSD and the engineer in training system. Mr. Campbell will also testify about the change order involving Plaintiff, his transfer to wastewater collection and his change in job status.

8. **Julia Johnson.** Ms. Johnson is Plaintiff's superintendent and will testify to matters testified to during her deposition. Ms. Johnson will testify as to the policies and procedures followed for conducting hearings and implementing recommendations for disciplinary actions of employees within MSD and specifically disciplinary action taken against Plaintiff. Ms. Johnson will also testify about the engineer in training classification.

9. **Ali Bahar.** Plaintiff has information concerning all matters at issue in this litigation. Plaintiff's testimony will include, but not be limited to, promises made to him regarding his employment with the City, the discriminatory practices within the City, his transfer to and procedures within the waste water collection division, professional engineering license qualifications and procedures, change order procedures and cost overruns on projects.

10. **Laura Bahar.** Mrs. Bahar, Plaintiff's wife, will testify regarding the damages and impact of the discrimination suffered by Plaintiff.

To the extent Defendant' s former employees are not available for trial, Plaintiff reserves the right to introduce portions of their depositions at trial.

Plaintiff reserves the right to call rebuttal witnesses or any witnesses listed on Defendant' s witness list.

Respectfully submitted,

/s/ Kelly Mulloy Myers

Kelly Mulloy Myers (0065698)

Randolph H. Freking (0009158)

Trial Attorneys for Plaintiff

FREKING & BETZ

215 East Ninth Street, Fifth Floor

Cincinnati, OH 45202

(513) 721-1975

FAX: (513) 651-2570

*kmyers@frekingandbetz.com*

*randy@frekingandbetz.com*

**CERTIFICATE OF SERVICE**

I hereby certify that on November 8, 2004, a copy of the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system and copies will be mailed via U.S. mail, e-mail and/or facsimile to those parties who are not served via the Court's electronic filing system. Parties may access this filing through the Court's System.

/s/ Kelly Mulloy Myers